

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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THE 79TH GROUP, INC.,

Plaintiff,

-against-

23 CIVIL 2521 (JLR)

JUDGMENT

JACOB MOORE,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated January 3, 2024, Defendant's motion to dismiss is GRANTED. Because the Court has dismissed the Complaint for lack of personal jurisdiction, its dismissal is without prejudice. See *Miller v. Brightstar Asia, Ltd.*, 43 F.4th 112, 126 (2d Cir. 2022) ("A dismissal for lack of jurisdiction must be without prejudice rather than with prejudice." (citation omitted)). Plaintiff's letter motion pertaining to discovery (ECF No. 40) is DENIED as moot; accordingly, the case is closed.

Dated: New York, New York

January 4, 2024

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk